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FAX

To:	Company	Fax #:	Telephone #:
1) Mr. Derek Woods	Office of Petitions	703 308-6916	703 305-0014
2)			
3)			
4)			
5)			

INTERNATIONAL PHONE NUMBERS MUST INCLUDE COUNTRY & CITY CODE. SEE LOCAL WHITE PAGES FOR CODES NEEDED.

From: Jerome W. Massie	Date: October 17, 2003	No. of Pages: _____ (including this page)	Application No.: 09/578,895
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Comments: ATTENTION: Mr. Woods
Mr. Woods,

Pursuant to our telephone discussion today, please find attached a copy of the Petition under 37 C.F.R. 1.182 filed 9/5/03 as evidenced by the PAIR/AM records. Upon receipt of the file, please match this copy of the petition and forward to the appropriate deciding official at the USPTO

I would ask that you please call me to acknowledge your safe receipt of this fax at my direct number below.

Thank you.

 Jerome W. Massie
 Reg. No. 48,118
 (202) 585-8219

Original of the transmitted document will be sent by:

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CONFIRMATION: DATE SENT _____ TIME _____ BY _____

From: Jerome W. Massie	Date: October 17, 2003	No. of Pages: _____ (including this page)	Client/Matter: 740756-2160
User #: 2039	Ext: 8219	Disbursement Amount: 5	

FAX RECEIVED
OCT. 17 2003
PETITIONS OFFICE

PATENT
740756-2160

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
Shunpei YAMAZAKI et al.) Group Art Unit: 2811
Serial No. 09/578,895) Examiner: Gene M. Munson
Filed: May 26, 2000)
For: ELECTRO-OPTICAL DEVICE AND) Date: September 5, 2003
ELECTRONIC DEVICE)

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OCT 17 2003

PETITIONS OFFICE

**PETITION, UNDER 37 C.F.R. 1.182, REQUESTING
THE COMMISSIONER INVOKE SUPERVISORY AUTHORITY AND
DIRECT THE EXAMINER TO CONSIDER THE INFORMATION
DISCLOSURE STATEMENT FILED NOVEMBER 21, 2001 PURSUANT TO
37 C.F.R. 1.97 AND MPEP CHAPTER 609**

MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Petitioners request the Commissioner invoke supervisory authority to instruct Examiner Munson to fully consider each reference cited in the Information Disclosure Statement (IDS) filed November 30, 2001 (copy attached). Specifically, the petitioners request that the Examiner be instructed to consider each of the related U.S. Application Nos. 09/432,662 ('662), 09/580,485 ('485), 09/587,369 ('369), cited in the IDS of November 30, 2001, since that IDS filing was in complete compliance with the requirements of 37 C.F.R. 1.97 and 1.98.

The relevant facts concerning this request are as follows:

1. The instant application was filed on May 26, 2000.
2. A first Office Action was issued by Examiner Munson on July 30, 2001.

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3. An Amendment and Information Disclosure Statement (IDS) were filed in response to the first Office Action on November 21, 2001 and November 30, 2001, respectively. The IDS included a PTO-1449 form listing the '662, '485 and '369 related applications and provided copies of the specification/drawings from each application.

4. A second final Office Action was issued by Examiner Munson on January 29, 2002 (copy attached) which included a copy of the PTO-1449 with the '662, '485 and '369 related application listings struck through and the notation "No copies nor indication that there are allowed pertinent claims to this invention" on the PTO-1449 form.

5. On February 27, 2002, the Applicants filed a Request For Acknowledgment Of Information Disclosure Statement which included a copy of the IDS and USPTO date stamped postcard for the IDS of November 30, 2001 and new copies of the '662, '485 and '369 related applications, as well as a further request to consider the related applications.

6. On June 6, 2002, the Applicants filed an Amendment which included, at page 4, another request to consider the '662, '485 and '369 related applications of the IDS of November 30, 2001 and outlined the reasons why the IDS must be considered by the Examiner, i.e., the IDS of November 30, 2001 was completely compliant with 37 C.F.R. §1.97-1.98.

7. On July 16, 2002, the Examiner issued an Advisory Action which included the notation at Box 11. "Contrary to response (p.4), there is nothing to consider for the patent applications, absent indication that there are allowed claims pertinent to this invention. No copy of indentified [sic] pending allowed claims has been provided, 37 C.F.R. 1.98. SN 09/432,662 will be considered if patent issues."

8. On July 29, 2002, the Applicants filed an RCE and a Preliminary Amendment (copy Attached) which included, at page 4, a renewed request for consideration of the '662, '485 and '369 related applications of the IDS of November 30, 2001 while pointing out the neither 37 C.F.R. 1.97 nor 1.98 contain any stipulation

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that related U.S. patent applications must contain claims indicated as allowed, nor that copies of the allowed claims be provided before an Examiner will consider them.

9. On September 3, 2002, the Examiner issued an Office Action which included, at the paragraph bridging pages 3-4, the statement as follows:

"With regard to the remarks which accompany the preliminary amendment, filed 29 July 2002, no copy of pending claims for pending applications SN 09/432,662 has been provided. 37 C.F.R. 1.98. If provided, only allowed claims relevant to an existing claim in this application would be considered. 'There is no duty to submit information which is not material to the patentability of any existing claim.' 37 C.F.R. 1.56. Absent allowed claims in SN 09/432,662, there appears nothing to consider in SN 09/432,662 material to the patentability of any existing claim in this application. However, SN 09/432,662 will be considered if a patent issues." (Emphasis added)

10. On April 24 and 28, 2003, Mr. Massie of our office contacted Supervisory Patent Examiner (SPE) Mr. Thomas of TC Art Unit 2811 regarding a particular reason why the Examiner has not considered the '662, '485 and '369 related applications of the IDS of November 30, 2001 or provided an indication of such consideration by providing an initialed copy of the PTO-1449 form provided by the Applicants. After reviewing the file, SPE Thomas informed Mr. Massie that while he is sympathetic to the Applicants' request to consider the November 30th IDS, since Mr. Munson is a Primary Examiner he has little authority or influence in making the Examiner consider the '662, '485 and '369 related applications of the November 30th IDS. When asked if a Petition under 37 C.F.R. 1.181 would be an appropriate means to provide SPE Thomas with the authority to instruct the Examiner to consider the IDS, SPE Thomas informed Mr. Massie, that if filed, and placed before him for his decision he would not grant such a petition, but did not provide any further details as to the reason for such a denial except to say for the reasons of record advanced by Examiner Munson.

11. On May 2, 2003, the Applicants filed an RCE and Preliminary Amendment (copy attached) which included, at page 3, line 17, to page 4, line 6, a specific request "Should the Examiner maintain his position in this regard, he is again hereby

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requested to provide support for such position by pointing out the specific text of 37 C.F.R. 1.98 requiring an indication that there are allowed claim pertinent to this invention set forth in the related applications."

12. On June 3, 2003, the Examiner issued a Notice of Allowability (PTOL-37 form) which included, at Box "Examiner's ~~Amendment~~/Comment - Re remarks (p 4-5) about IDS, see Office Action, dated 3 Sept. 2002, paper No. 17, pages 3-4, 37 CFR 1.56, 1.98."

13. On July 23, 2003, Mr. Massie of our office spoke on the telephone and then met briefly with Technology Director Arthur Grimley to outline Examiner Munson's refusal to consider what had been a proper and timely filed IDS on November 30, 2001. While Director Grimley had not had an opportunity to review the instant application file or to speak with the Examiner Munson and SPE Thomas, he understood the Applicants distress regarding having the IDS considered and was aware that Examiner Munson has been adamant in these situations. When the possibility of filing a petition in this matter, under 37 C.F.R. 1.182, was raised, Director Grimley acknowledged that such an alternative would appear to be appropriate in this instance.

14. On August 8, 2003, the Notice of Allowability was mailed in Application S.N. 09/580,485 (a copy of the allowed claims is attached)

15. On September 9, 2003, the Application S. N. 09/432,662 will issue as U.S. Patent No. 6,617,644 (a copy of the allowed claims is attached)

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Petitioners' Request

Since the Issue Fee is due for the instant application on September 3, 2003, it is imperative that the Petitioners receive consideration of this petition promptly in order to avoid the time and expense of having to file a Request to Withdraw from Issue under 37 C.F.R. 313 and RCE/CPA in order to avoid the patent from issuing without the '662, '485 and '369 related applications being considered and printed on the published patent. Further, the Petitioners respectfully request that the instant petition be granted and that the Examiner be instructed to consider the '662, '485 and '369 related applications filed with in the IDS of November 30, 2001. It is also requested that the Examiner be instructed to provide an indication of such consideration of the '662, '485 and '369 related applications by providing a completed References Cited (PTO-1449) form attached hereto along with a (Supplemental) Notice of Allowability (PTO-37) form as soon as possible in order that the patent can be issued with the listing of the '662, '485 and '369 related applications.

Petitioners' Arguments

The Petitioners assert that throughout the prosecution of the present application Examiner Munson has failed to follow the requirements of MPEP Chapter 609 or understand the responsibilities of the Examiner under 37 C.F.R. 1.97-1.98 or understand the responsibilities of the Petitioners and their representatives under 37 C.F.R. 1.56 which has resulted in the Examiner's improper decision to refuse consideration of the '662, '485 and '369 related applications.

Specifically, 37 C.F.R. 1.56 states:

A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is

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cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98...

Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

- (i) Opposing an argument of unpatentability relied on by the Office, or
- (ii) Asserting an argument of patentability. (Emphasis added)

Therefore, § 1.56 places upon the Applicants and their representatives the responsibility of providing to the USPTO all information material to the patentability of at least one pending claim and that such material must be submitted during the examination period according the requirements of § 1.97 and § 1.98. According to § 1.56, it is the Applicants and their representatives who must determine the materiality under § 1.56 of any information and the Applicants or their representatives who must submit the material information, if known, to the USPTO for consideration.

The Applicants determined that submitted the originally filed '662, '485 and '369 related applications are material to the patentability of at least one claim of the instant application and as a result filed the Information Disclosure Statement of November 30, 2001 containing the '662, '485 and '369 related applications. The current version of 37 C.F.R. 1.97 requires:

(a) In order for an applicant for a patent or for a reissue of a patent to have an information disclosure statement in compliance with § 1.98 considered by the Office during the pendency of the application, the information disclosure statement must satisfy one of paragraphs (b), (c), or (d) of this section...

(c) An information disclosure statement shall be considered by the Office if filed after the period specified in paragraph (b) of this section, provided that

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the information disclosure statement is filed before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by one of:

- (1) The statement specified in paragraph (e) of this section; or
- (2) The fee set forth in § 1.17(p).

Therefore, since the November 30th IDS was filed before the final Office Action of January 29, 2002, the fee under § 1.17(p) was included. Additionally, § 1.98 requires that each IDS submitted include:

(a) Any information disclosure statement filed under § 1.97 shall include:

(1) A list of all patents, publications, applications, or other information submitted for consideration by the Office;

(2) A legible copy of:...

(iii) For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion; and...

(3) Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date... (Emphasis added).

A further review of the November 30th IDS reveals that a legible copy of each of the originally filed '662, '485 and '369 related applications was included (each of which included the description, claims, abstract and drawings) and that the IDS listed each application by application number, filing date and inventor.

From the above facts it is clear that the Applicants fully complied with the requirements of § 1.56, § 1.97 and § 1.98 with regard to the '662, '485 and '369 related applications of the November 30th IDS.

MPEP Chapter 609 outlines the requirements of § 1.56, § 1.97 and § 1.98 and sets forth the responsibilities of the USPTO once a proper IDS submission is made by stating:

...An information disclosure statement filed in accordance with the provisions of 37 CFR 1.97 and 37 CFR 1.98 will be considered by the examiner assigned to the application. The requirements for the content of a statement have been simplified in the rules, to encourage individuals

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associated in a substantive way with the filing and prosecution of a patent application to submit information to the Office so the examiner can evaluate its relevance to the claimed invention. The procedures for submitting an information disclosure statement under the rules are designed to encourage individuals to submit information to the Office promptly and in a uniform manner. These rules provide certainty for the public by defining the requirements for submitting information disclosure statements to the Office so that the Office will consider information contained therein before a patent is granted... (Emphasis added)

Further, MPEP Chapter 609 (III)(A) sets for the minimum requirements for an information disclosure statement by stating:

...Each information disclosure statement must include a list of all patents, publications, U.S. applications, or other information submitted for consideration by the Office.

37 CFR 1.98(b) requires that each item of information in an IDS be identified properly. U.S. patents must be identified by the inventor, patent number, and issue date. U.S. patent application publications must be identified by the applicant, patent application publication number, and publication date. U.S. applications must be identified by the inventor, the eight digit application number (the two digit series code and the six digit serial number), and the filing date...

The list of information complying with the identification requirements of 37 CFR 1.98(b) may not be incorporated into the specification of the application in which it is being supplied, but must be submitted in a separate paper....Use of either form PTO-1449, Information Disclosure Citation, or PTO/SB/08A and 08B, Information Disclosure Statement, to list the documents is encouraged. See subsection C(2) below.

A (2) Legible Copies

In addition to the list of information, each information disclosure statement must also include a legible copy of:...

(C) For each cited pending U.S. application, the application specification including the claims, and any drawings of the application, or that portion of the application which caused it to be listed including any claims directed to that portion

Therefore, from the review of the November 30th IDS above, it is clearly evident that the submission of the '662, '485 and '369 related applications was in complete compliance with § 1.97 and § 1.98 and, therefore, the '662, '485 and '369

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related applications must be considered by the Examiner during the examination of the instant application.

With regard to the Examiner's stated reasons for not considering the '662, '485 and '369 related applications of the November 30th IDS, neither § 1.97, § 1.98 or MPEP Chapter 609 set forth any requirement that, in order to have related patent applications be considered by the Examiner, the Applicants must provide an:

- a. "indication that there are allowed pertinent claims to this invention" or
- b. "...absent indication that there are allowed claims pertinent to this invention. No copy of indentified [sic] pending allowed claims has been provided, 37 C.F.R. 1.98. SN 09/432,662 will be considered if patent issues" or
- c. "...no copy of pending claims for pending applications SN 09/432,662 has been provided. 37 C.F.R. 1.98"

Further, the Examiner has steadfastly refused to provide any elaboration or legal precedence to support the alleged requirements for filing consideration of the related applications in an IDS. Finally, it is noted that the Examiner has stated, in the Office Action of September 3, 2002 (see paragraph bridging pages 3-4) that "there appears nothing to consider in SN 09/432,662 material to the patentability of any existing claim in this application." Such a statement is an admission that the Examiner has in fact considered the '662 application. Accordingly, the Examiner should have indicated such consideration on a References Cited (PTO-892) form to accompany the September 3, 2002 Office Action.

In view of the arguments and evidence provided, the Petitioners respectfully request that the instant petition be granted and that the Examiner be instructed to consider the '662, '485 and '369 related applications filed with in the IDS of November 30, 2001. It is also requested that the Examiner be instructed to provide an indication of such consideration of the '662, '485 and '369 related applications by providing a completed References Cited (PTO-1449) form attached hereto along with a (Supplemental) Notice of Allowability (PTO-37) form as soon as possible.

This petition is submitted under 37 C.F.R. 1.182 since SPE Thomas has effectively denied a petition under 37 C.F.R. 1.181 during his discussion with Mr.

Application No. 09/578,895

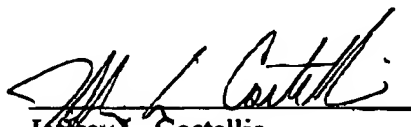
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Massie on April 28, 2003. However, should the Commissioner regard the filing of the instant petition under § 1.182 as inappropriate, then it is respectfully requested that the Commissioner accept this petition as having been made under 37 C.F.R. 1.181 (no fee). A check for the petition fee, under 37 C.F.R. 1.17(h), is enclosed, however, should the check become lost or misplaced the Commissioner is hereby authorized to charge the required fee (\$130.00), under 37 C.F.R. 1.17(h), to Deposit Account No. 19-2380 (740756-2160).

Prompt attention to this matter is appreciated.

Respectfully submitted,


Jeffrey L. Costellia
Registration No. 35,483

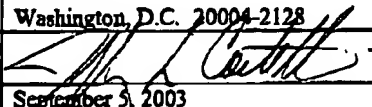
NIXON PEABODY LLP
Suite 900
401 9th Street, N.W.
Washington D.C. 20004
(202) 585-8000
(202) 585-8080 fax

Attachments:

Copy of PTO-1449 listing U.S. Application Nos. 09/432,662, 09/580,485, 09/587,369
Copy of IDS of November 30, 2001
Copy of Office Action of January 29, 2002
Copy of RCE/Preliminary Amendment of July 29, 2002
Copy of RCE/Preliminary Amendment of May 2, 2003
Copy of allowed claims in Application S.N. 09/580,485
Copy of allowed claims in Application S.N. 09/432,662

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/578,895
		Filing Date	May 26, 2000
		First Named Inventor	Shunpei YAMAZAKI et al.
		Group Art Unit	2811
		Examiner Name	Gene M. Munson
Total Number of Pages in This Submission		Attorney Docket Number	740756-2160

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input type="checkbox"/> A self-addressed prepaid postcard for acknowledging receipt <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="text-align: center;"> FAX RECEIVED OCT 17 2003 PETITIONS OFFICE </div>
Remarks	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 (740756-2160) for the above identified docket number.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	<u>Jeffrey L. Costello, Reg. No. 35,483</u> Nixon Peabody LLP 401 9 th Street, N.W. Suite 900 Washington, D.C. 20004-2128
Signature	
Date	September 5, 2003

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
I hereby certify that this correspondence is being:	
<input type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop _____, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450	
<input type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____	
Date	Signature
	Typed or printed name

FEE TRANSMITTAL FOR FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$130.00)

Complex Known	
Application Number	09/578,895
Filing Date	May 26, 2000
First Named Inventor	Shunpei YAMAZAKI et al.
Examiner Name	Gene M. Munson
Art Unit	2811
Attorney Docket No.	740756-2160

FAX RECEIVED

OCT 17 2003

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number

19-2380 (740756-2160)

Deposit
Account
Name

Nixon Peabody LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
-20** =	X		0
Independent Claims	-3** =	X	0
Multiple Dependent	X		0

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

**or number previously paid, if greater, For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entry Fee Code	Large Entry Fee (\$)	Small Entry Fee Code	Small Entry Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	410	2252	205	Extension for reply within second month
1253	930	2253	465	Extension for reply within third month
1254	1,450	2254	725	Extension for reply within fourth month
1255	1,970	2255	985	Extension for reply within fifth month
1401	320	2401	160	Notice of Appeal
1402	320	2402	160	Filing a brief in support of an appeal
1403	280	2403	140	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive - unavoidable
1453	1,300	2453	650	Petition to revive - unintentional
1501	1,300	2501	650	Utility issue fee (or reissue)
1502	470	2502	235	Design issue fee
1503	630	2503	315	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(a)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))
1801	750	2801	375	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$130.00)

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop _____
Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____

Date

Signature

Typed or printed name

SUBMITTED BY

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Date September 5, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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1. Transmittal Form
2. Fee Transmittal Form (in duplicate)
3. Petition under 37 C.F.R. §1.182
5. Check No. _____ in the amount of \$130.00 (Petition- \$130.00)

In re Patent Application of:

Inventor(s): Shunpei YAMAZAKI et al.

Serial No.: 09/578,895

Filed: May 26, 2000

Title: ELECTRO-OPTICAL DEVICE AND ELECTRONIC DEVICE

Due Date:

Docket No. 740756-2160

JLC/JWM/adc

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